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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Shuvranshu Pokhariyal

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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Seventh Floor

12400 Wilshire boulevard

Los Angeles, CA 90025-1026

EXAMINER

JACKSON, JAKIEDA R

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,994

Applicant(s)

POKHARIYAL ET AL.

Examiner

Jakieda R. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-2 and 4-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In response to the Office Action mailed August 3, 2005, applicant submitted an amendment filed on November 7, 2005, in which the applicant amended and requested reconsideration with respect to **claims 1, 6, 9, 12, 15 and 18**.

Response to Arguments

2. Applicant's argue that "return the "N" most likely members of the recognition grammar" language of Beutnagel does not make a distinction between generic and non-generic words, as does the amended claimed invention. However, according to the claimed invention and the Beutnagel reference, the generic words are *previously* removed from the set of potential words spoken by the user (which leaves **ONLY** non-generic words to choose from) *and then* it selects a non-generic word from the set of potential words spoken by the user having a highest confidence level. Beutnagel also teaches that the recognition eliminates the trial and error in finding a correct pronunciation form among the list of candidates, otherwise the end-user might have to listen to tens or hundreds of candidate pronunciations (column 5, line 57 – column 6, line 3). Therefore, applicant's arguments are not persuasive.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmid et al. (U.S. Publication No. 2002/0143529), hereinafter referenced as Schmid in view of Beutnagel (USPN 6,708,885).

Regarding **claims 1, 9 and 15**, Schmid discloses a method, machine-readable medium, apparatus and system, hereinafter referenced as a "system" comprising:

creating a rule-based grammar (column 5, paragraph 0070) having a wildcard identifier in place of a predefined category of words (wildcard transition; figure 3, element 326 with column 1, paragraph 0003);

defining rules (rule interpreter; figure 2, element 214) to produce artificial combinations of unique sounds in a language (phoneme; column 6, paragraph 0088 with 0084), where each artificial combination represents a pronunciation of the words (paragraph 0088) in the predefined category (set of selected phrases; column 1, paragraph 0003), and represents a generic word (dictation grammar) that is defined in a speech engine's vocabulary database (column 1, paragraph 0008 with column 3, paragraph 0034);

generating a set of artificial combinations of unique sounds (phoneme; column 6, paragraph 0088 with paragraph 0092 and 0095) by substituting the wildcard identifier with the rules (column 1, paragraph 0003); and

in response to human speech specifying a wildcard word, determining a number of potential words spoken by the user by finding the generic words (dictation grammar;

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column 1, paragraph 0008) and non-generic words (optional word "please"; column 3, paragraph 0041) that phonetically match the wildcard word (column 7, paragraph 0095), and then assigning each of the words a confidence level (plus or minus with high and low confidence level; column 7, paragraph 0095), but lacks wherein the non-generic words are not a part of the rule-based grammar, assigning each of the generic and non-generic words confidence level based on a set of rules followed by the speech engine, removing the generic words from the set of potential words spoken by the user, and selecting a remaining word from the set of potential words spoken by the user having a highest confidence level.

Beutnagel discloses speech synthesis and recognition systems for determining a set of potential words spoken by a user (known words; column 7, lines 24-26) by finding the generic (figure 1, element 105; column 2, lines 66-67 with column 4, lines 27-47 and column 5, line 66 – column 6, line 3) and non-generic words (figure 1, element 110 with column 7, lines 24-26) that phonetically match (match the individual phonemes; column 5, lines 57-66) the wildcard (word at hand; column 4, lines 52-63 with will not know; column 5, lines 32-56) wherein the non-generic words are not a part of the rule-based grammar (figure 1, element 110 with column 2, lines 61-64), assigning each of the generic and non-generic words confidence level based on a set of rules followed by the speech engine (column 5, lines 5-12), removing the generic words from the set of potential words spoken by the user (return the "N" most likely members of the recognition grammar; column 6, lines 20-30), and selecting a remaining non-generic word from the set of potential words spoken by the user having

a highest confidence level (report the member with the highest overall probability; column 5, line 57 – column 6, line 3), to provide an improved synthesis and recognition system that automatically determines the phonetic transcription that corresponds to the spoken word.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schmid's system wherein the non-generic words are not a part of the rule-based grammar, assigning each of the generic and non-generic words confidence level based on a set of rules followed by the speech engine, removing the generic words from the set of potential words spoken by the user, and selecting a remaining word from the set of potential words spoken by the user having a highest confidence level, to prevent end-users from wasting time and energy from constructing alternative pronunciations and making the mistake of not knowing all the proper phonetic transcriptions (column 1, lines 21-37), by providing an improved synthesis and recognition system that automatically determines the phonetic transcription that corresponds to the spoken word (column 2, lines 12-23).

Regarding **claims 2, 10, 13, 16 and 20**, Schmid discloses a system wherein the rule-based grammar comprises a context-free grammar (CFG) (context-free grammar engine; figure 2, element 202).

Regarding **claim 3**, Schmid discloses a system for utilizing speech grammar rules written in a markup language, but lacks wherein the remaining word is a non-generic word.

Beutnagel discloses speech synthesis and recognition systems wherein the remaining word is a non-generic word (return the "N" most likely members of the recognition grammar; column 6, lines 20-30), to obtain the best pronunciation of the word.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schmid's system wherein the remaining word is a non-generic word, to provide an improved synthesis and recognition system that automatically determines the phonetic transcription that corresponds to the spoken word (column 2, lines 12-23).

Regarding **claims 4, 8, 11, 14, 17 and 19**, Schmid discloses a system wherein a unique sound in a language comprises a phoneme (column 6, paragraph 0088 with column 7, paragraph 0092).

Regarding **claims 5 and 21**, Schmid discloses the system wherein said generating a set of artificial combinations of unique sounds (phonemes; column 6, paragraph 0088 with column 7, paragraph 0092) by substituting (substitutes) the wildcard identifier (entire state diagram) with the rules (column 4, paragraph 0045 with column 5, paragraph 0068) comprises converting the wildcard rule-based grammar into a standard rule-based grammar (figure 3 with transition from state to state through rules; column 9, paragraph 0129).

Regarding **claim 6**, Schmid discloses a method comprising:

specifying a wildcard context-free grammar (CFG)(figure 2, element 202), which includes a wildcard identifier in place of a predefined category of words (a set of

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selected phrases; column 1, paragraph 0003), each of which are defined in the speech engine's vocabulary database (column 3, paragraph 0034);

specifying a set of rules (setting the PRON) that define artificial combinations of unique sounds in a language (phoneme), where each artificial combination represents a pronunciation of the words (pronunciation of words) in the predefined category (column 6, paragraph 0088 with column 7, paragraph 0090-0092 and column 1, paragraph 003), and corresponds to a generic word that is defined in a speech engine's vocabulary database (column 3, paragraph 0034);

converting the wildcard CFG file into a recognized CFG grammar file (figure 3) by generating a set of artificial combinations of unique sounds based on the rules (phonemes; column 6, paragraph 0088 with paragraph 0092); and in response to human speech having one or more spoken units (speech recognition engine; figure 2, element 204), generating a results object (results produced) having a number of generic words (given number; column 9, paragraph 0117) corresponding to artificial combinations appropriate to a given spoken unit (phoneme), and having a number of non-generic words (optional words; column 3, paragraph 0041) in the speech engine's vocabulary database appropriate to a given spoken unit (column 3, paragraph 0034), each generic word and non-generic word having an associated confidence level (column 7, paragraph 0095), but lacks wherein the non-generic words are not a part of the rule-based grammar, assigning each of the generic and non-generic words confidence level based on a set of rules followed by the speech engine, removing the generic words from the set of potential words spoken by the user, and selecting a

remaining word from the set of potential words spoken by the user having a highest confidence level.

Beutnagel discloses speech synthesis and recognition systems for determining a set of potential words spoken by a user (known words; column 7, lines 24-26) by finding the generic (figure 1, element 105; column 2, lines 66-67 with column 4, lines 27-47 and column 5, line 66 – column 6, line 3) and non-generic words (figure 1, element 110 with column 7, lines 24-26) that phonetically match (match the individual phonemes; column 5, lines 57-66) the wildcard (word at hand; column 4, lines 52-63 with will not know; column 5, lines 32-56) wherein the non-generic words are not a part of the rule-based grammar (figure 1, element 110 with column 2, lines 61-64), assigning each of the generic and non-generic words confidence level based on a set of rules followed by the speech engine (column 5, lines 5-12), removing the generic words from the set of potential words spoken by the user (return the “N” most likely members of the recognition grammar; column 6, lines 20-30), and selecting a remaining non-generic word from the set of potential words spoken by the user having a highest confidence level (report the member with the highest overall probability; column 5, line 57 – column 6, line 3), to provide an improved synthesis and recognition system that automatically determines the phonetic transcription that corresponds to the spoken word.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schmid's system wherein the non-generic words are not a part of the rule-based grammar, assigning each of the generic and

non-generic words confidence level based on a set of rules followed by the speech engine, removing the generic words from the set of potential words spoken by the user, and selecting a remaining word from the set of potential words spoken by the user having a highest confidence level, to prevent end-users from wasting time and energy from constructing alternative pronunciations and making the mistake of not knowing all the proper phonetic transcriptions (column 1, lines 21-37), by providing an improved synthesis and recognition system that automatically determines the phonetic transcription that corresponds to the spoken word (column 2, lines 12-23).

Regarding **claim 7**, Schmid discloses a system comprising querying the results object for having the highest confidence level in the speech engine's vocabulary database (highest confidence level; column 7, paragraph 0095).

Regarding **claim 12**, it is interpreted and rejected for the same reasons as set forth in claim 1. In addition, Schmid discloses an apparatus comprising:

- at least one processor (processing unit; figure 1, element 120); and
- a machine-readable medium (computer readable instructions/media) having instructions encoded thereon, which when executed by the processor, are capable of directing the processor (column 2, paragraph 0026 and 0027).

Regarding **claim 18**, it is interpreted and rejected for the same reasons as set forth in claim 1. In addition, Schmid discloses a system comprising:

- a conversion module (figure 3) to accept a wildcard rule-based grammar file as input, and to convert the wildcard rule-based grammar file to a set of artificial

combinations of unique sounds in a language (phoneme; column 6, paragraph 0088 with column 7, paragraph 0092);

a speech engine (figure 2, element 204) to accept human speech having a wildcard word as input (column 8, paragraph 0112), and to determine a number of potential words matching the wildcard word (column 7, paragraph 0095), the potential words comprising a number of generic words (dictation grammar; column 1, paragraph 0008) corresponding to the artificial combinations of unique sounds in a language (phoneme; column 6, paragraph 0088 with column 7, paragraph 0092), and a number of non-generic words (optional words; column 3, paragraph 0041); and

a speech adapter (network interface; figure 1, element 170 with column 3, paragraph 0033) to interact with the speech engine by querying the speech engine for potential words matching the wildcard word (represent phrases), and by returning the word most likely to match (determines the likelihood) the wildcard word spoken by the user (column 3, paragraph 0034).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571.272.7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 12, 2006
JRJ


SUSAN MCFADDEN
PRIMARY EXAMINER